

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Eric Hamilton *et al.*
APPLICATION NO.: 10/811,427
FILING DATE: March 26, 2004
TITLE: ROBUST SINGLE-PASS VARIABLE BIT RATE ENCODING
EXAMINER: Andy S. Rao
GROUP ART UNIT: 2621
ATTY. DKT. NO.: 18602-08744 (P3257US1)

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Dated: 13 September 2007 By: /Daniel R. Brownstone 46581/
Daniel R. Brownstone, Reg. No. 46,581

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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181 AND MPEP § 711.03(C)**

A Notice of Abandonment was mailed on August 14, 2007 in the above case, stating that the application was abandoned for failure by Applicants to respond to the Office Action of February 2, 2007.

The February 2, 2007 Office Action was not received by the Applicants or by their undersigned representative. A search of the file jacket and docket records confirms that the Office Action was not received. A copy of the docket record for this application is included with this Petition; the record shows each docketed item in the history of the application, and illustrates that the Office Action response was not docketed—there is no docketed item between the Status

Request sent to the USPTO on July 28, 2006, and the receipt of the Notice of Abandonment on August 20, 2007. Had the Office Action been received, a response deadline would have appeared in the record.

In addition, Private PAIR reveals that the Office Action was returned to the USPTO as undeliverable on February 8, 2007. A screen shot of the Private PAIR image file wrapper and the first page of the returned office action bearing an OIPE date stamp of FEB 08 2007 are attached. The customer address associated with the customer number 61520, i.e. the address that the Office Action was mailed to, is the correct address, and the reason for its return to the USPTO as undeliverable is unknown.

Accordingly, since Applicants did not receive the February 2, 2007 office action, the Office is asked to withdraw the holding of abandonment in this case and re-mail the Office Action.

If any additional information is required, please contact the Attorney for Applicants at the telephone number below.

Respectfully submitted,
ERIC HAMILTON *et al.*

Dated: September 13, 2007

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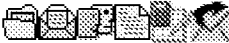










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Title:	P3257US1 Robust Single-Pass Variable Bit Rate Encoding	File #:	18602-08744/US
Type:	Utility - NPREG	Country:	United States of Americ
Client:	Apple Inc.	Client File #:	P3257US1
FIP ID:	23214	Publication Date:	
Status:	Pending / Active	Matter Entity Size:	Large
Date Filed:	Mar 26, 2004	Issue Date:	
Serial #:	10/811,427	Patent #:	
Other Party:	No	Scan Docs:	
Special Instructions (See Handbook):		Technology:	
Prototype:	No	Default category prototype:	No

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<input type="checkbox"/> Notice of Abandonment Received	Abandoned for Failure to reply to OA; PAIR indicates OA was returned to USPTO for some reason	Completed	Date Received : 08/20/2007	Date Mailed : 08/14/2007		Edit -- Add
<input type="checkbox"/> Request Status from the PTO		Completed	Date Done : 08/14/2007			Edit -- Add
<input type="checkbox"/> Response To Status Inquiry	Response To Status Inquiry	Completed	Date Mailed : 07/28/2006			Edit -- Add
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<input type="checkbox"/>	<u>File Application with the PTO</u>	Original Due Date 3/19/04	Completed	Date Done : 04/06/2004		Edit	-- Add
<input type="checkbox"/>	<u>Non-Publication Request Filed</u>		Completed	Date Done : 03/26/2004		Edit	-- Add
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10/811,427

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02-02-2007	CTNF	Non-Final Rejection	PROSECUTION	19	
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,427	03/26/2004	Eric Hamilton	18602-08744 (P3257US1)	2639

61520 7590 02/02/2007
APPLE/FENWICK
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.